

Report Date: October 20, 2008

United States District Court

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

for the

OCT 21 2008

Eastern District of Washington

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: William J Aills

Case Number: 2:03CR02235-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen

Date of Original Sentence: 10/7/2004

Type of Supervision: Supervised release

Original Offense: Possession of a Firearm by  
Prohibited Person, 18 U.S.C. § 922(g)(1)

Date Supervision Commenced: 10/15/2008

Original Sentence: Prison - 63 Months; TSR - 36  
Months

Date Supervision Expires: 10/14/2008

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PETITIONING THE COURT

To modify the conditions of supervision as follows:

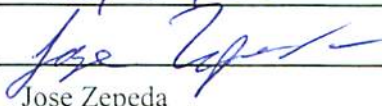
- 16 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 17 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

CAUSE

Mr. Aills was released from custody on October 15, 2008, to begin a 3-year term of supervised release. In order for his substance abuse testing conditions previously ordered by the Court to be in compliance with recent 9<sup>th</sup> Circuit case law, the above modifications are recommended. The offender has agreed to the modifications and a signed waiver is enclosed for the Court's review.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

10/20/08  
  
Jose Zepeda  
U.S. Probation Officer

Prob 12B

**Re: Aills, William J**

**October 20, 2008**

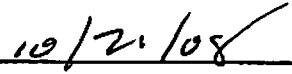
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**THE COURT ORDERS**

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

  
\_\_\_\_\_

Signature of Judicial Officer

  
\_\_\_\_\_

Date

# United States District Court

Eastern District of Washington

## Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

- 16 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 17 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Witness:



U.S. Probation Officer

Signed:



William J Aills  
Probationer or Supervised Releasee

October 20, 2008

Date